

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable Robert C. Brack

CASE NO. CV 12-1048 RB/KBM

DATE: 05/05/2015

Time in Court: 1:30 PM – 1:45 PM (15 MINUTES)

TITLE: TORRES v. ALBUQUERQUE POLICE DEPARTMENT, et al.

COURTROOM CLERK:

JoAnn O. Standridge

COURT REPORTER:

Vanessa Alyce

() Albuquerque (X) Las Cruces () Santa Fe () Roswell

() Bench warrant ordered

INTERPRETER: none

ATTORNEYS PRESENT FOR PLAINTIFF(S):

KEVIN P. HOLMES
KATHLEEN J. LOVE
RANDI MCGINN

ATTORNEYS PRESENT FOR DEFENDANT(S):

W. ANN MAGGIORE
DAVID ANTHONY ROMAN

TYPE OF PROCEEDING: STATUS CONFERENCE (TELEPHONIC)

PROCEEDINGS:

1:30 P.M. COURT CALLS CASE. IDENTIFIES ATTORNEYS PRESENT.

1:31 P.M. ADDRESSES THE PROPOSED DATES PREVIOUSLY SET BY THE COURT

1:32 P.M. ATTY MAGGIORE: DOES NOT BELIEVE A SHORTENED DISCOVERY TIME CAN BE MET.

ATTY ROMAN: QUESTIONS OUTSIDE WITNESS ISSUES, WHERE TRIAL WILL BE HELD. FILED MOTION TO
BIFURCATE TO BE ADDRESSED.

1:36 P.M. ATTY LOVE: READY FOR AN AUGUST TRIAL. PLAINTIFF'S MOTIONS IN LIMINE HAVE ALL BEEN FILED;
OTHER THAN LIMITED DISCOVERY. PLAINTIFF'S WILLING TO STAND ON MOTIONS IN LIMINE CURRENTLY
FILED, WITH THE CAVEAT THAT NEW MOTIONS MAY BE FILED BASED ON ANY NEW DISCOVERY. ALL
EXPERTS HAVE BEEN DISCLOSED. PRODUCED ADDITIONAL 4 WITNESSES TO DEFENSE. MAINTAINS
CASE STILL CAN BE HEARD BY AUGUST 24, 2015.

1:39 P.M. ATTY MAGGIORE: IMPORTANT TO NOT RUSH INTO TRIAL. 1 EXPERT WITNESS THAT HAS NOT BEEN
DISCLOSED. DOES NOT FEEL IT IS REALISTIC TO BE READY BY AUGUST.

1:41 P.M. ATTY LOVE: ADDITIONAL EXPERT IS A REBUTTAL WITNESS ALLOWED BY JUDGE MOLZEN. OTHER 4
WITNESSES ARE NOT EXPERT WITNESSES.

1:42 P.M. COURT: WANTS TO ADDRESS THE MATTER AS TO WHERE WILL CASE BE HEARD.

1:42 P.M. ATTY ROMAN: JUDGE MOLZEN INDICATED SHE WOULD LIKE BRIEFING WHERE TRIAL SHOULD BE HELD.

1:43 P.M. COURT: WILL TAKE EVERYTHING FROM TODAY INTO ACCOUNT. COURT WILL PROVIDE A RESPONSE
SOON, REGARDING THE AUGUST 24TH TRIAL; COURT WILL INFORM PARTIES IF ANY PENDING MOTIONS
SHOULD BE BE RE-FILED

1:45 P.M. COURT: ADJOURNS HEARING